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November 30, 2020

**Via ECF**

The Honorable Lois Bloom  
United States District Court for the Eastern District of New York  
Theodore Roosevelt United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Capogrosso v. Gelbstein, et al., No. 18 Civ. 2710 (MKB) (LB)

Dear Judge Bloom,

This Office represents Defendants Alan Gelbstein, Ida Traschen, and Danielle Calvo, in their individual capacities, and Mark Schroeder, in his official capacity as Commissioner of the New York State Department of Motor Vehicles (“DMV”) (together, the “State Defendants”), in the above-referenced matter. I write with the consent of the *pro se* attorney Plaintiff and of Defendant Smart to request an extension of discovery through Tuesday, December 22, for the limited purpose of completing depositions. In order to accommodate the holidays, we request that summary judgment pre-motion letters be due to Judge Komitee three weeks later, on Tuesday, January 12, 2021.

The additional time is necessary due to delays in obtaining document discovery. However, with the Plaintiff’s recent production, which was served in hard copy on November 20 and received by the undersigned counsel on November 25, depositions are the only portion of the discovery process that remains outstanding. The proposed schedule would wrap up discovery before the holidays and allow for the summary judgment motions to be briefed early in the New Year.

This is the parties’ second request for an extension of time to complete discovery. The previous request was made on September 22, 2020, see Dkt. No. 137, and granted the following day, see Dkt. No. 138. We thank the Court for its time and consideration of this matter.

Respectfully submitted,



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